

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

AARON CARTER,

Defendant.


18-CR-390-04 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the attached letter from defendant Aaron Carter, with attachments. The Court understands Mr. Carter to be seeking compassionate release in light of the COVID-19 pandemic. The Court directs counsel for Mr. Carter to submit a letter memorandum in support of this application, due Thursday, June 4, 2020, and directs the Government to respond by Tuesday, June 9, 2020.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: June 2, 2020
New York, New York

CASE NUMBER 18-CR-390 04 (PAL)

5/13/20

DEAR JUDGE ENGELMAYER,

I HOPE WHEN YOU RECIEVE THIS LETTER YOU AND YOUR FAMILY ARE IN THE BEST OF HEALTH. DESPITE THESE UNFORTUNATE CIRCUMSTANCES GOING ON RIGHT NOW, AND THESE UNFORTUNATE CIRCUMSTANCES IS EXACTLY THE REASON WHY I'M WRITING YOU TODAY. FORT DIX WHICH IS CURRENTLY THE INSTITUTION I'M HELD AT HAS REPORTED 31 CASES OF COVIN-19 CURRENTLY. EVEN THOUGH THEY ARE NO REPORTED CASES FROM THE LOW COMPOUND WHERE I RESIDE, ALL OF THE CASES ARE FROM NEXT DOOR AT THE CAMP. DUE TO THEY'RE NOT HAVING ADEQUATE HOUSING ON THE CAMP TO QUARANTINE THE SICK INMATES, THEY ARE HOUSING THEM ON THE LOW COMPOUND AND THAT BUILDING IS LOCATED PRECISELY SOFT ACROSS FROM THE BUILDING I'M BEING HOUSED AT WHICH IS THE ROAD BUILDING. WE HAVE OFFICERS THAT DO ROUNDS AND COUNT PRISONERS IN THE QUARANTINED BUILDING THAT COME INTO OUR BUILDING RIGHT AFTER AND COUNT US. SINCE ACCEPTING RESPONSIBILITY FOR MY ROLE IN MY CASE ON 3/29/19, I'VE BEEN INVOLVED IN NUMEROUS PROGRAMS. ONE OF THE PROGRAMS, I AM CURRENTLY IN IS THE ROAD PROGRAM. WE LOOK AT IT AS BEING IN A COMMUNITY IN THE PROGRAM AND IS THAT COMMUNITY I'M CURRENTLY A MENTOR. BEING A MENTOR I'M IN PLACE TO GUIDE OTHER INMATES WHO ARE IN PHASES LOWER THAN THE ONE I'M IN.

Due to the fact of everything being
 shut down in the prison, I'm not able
 to take the G.E.D. test but I was en-
 rolled in the classes and was schedu-
 led to take the test. Judge Engel Mayer
 I worry about my well being and the
 well being of my family as well. Over
 the past month I've lost a few family
 member and close friend's due to Covid-19.
 I have a grand child that I have not
 seen and four kid's that contact have been
 limited due to restrictions placed at
 the prison because of Covid-19. My mother
 is a diabetic and suffer from high blood
 pressure. My step father also has high
 blood pressure and I can be a big help
 to them with taking care of everyday
 responsibilities to help them avoid a
 risk of contracting Covid-19. I have
 employment waiting for me when I'm
 released. I know I was sentenced to
 84 months and I've been incarcerated
 for only 24 but I humbly ask that you
 me a chance to help my family and prove
 that I can be a productive citizen. Every
 day I'm learning more about myself from
 the RDAP program and it's a proven fact
 that those that ~~take~~ the program have
 a less recidivism rate than those that
 don't. If you were to consider and grant
 me compassionate release or a reduction
 in sentence I will continue my progress

I'm making by attending AA/NA meet-
ing's and furnish updates on my progress
so you would see this wasn't done in
vain. Thank you your honor for taking
the time out to read my letter. And
like I said I hope you and your family
are in the best of health during these
trying times.

Sincerely
Aaron Carter
50001-054



U.S. Department of Justice
Federal Bureau of Prisons
Federal Correctional Institution
P.O. Box 38
Fort Dix, New Jersey 08640

May 12, 2020

From: D. Curry, Psy.D., DAP Coordinator

Re: The Federal Bureau of Prisons Residential Drug Abuse Program

The Residential Drug Abuse Program (RDAP) is the Bureau of Prisons' most intensive substance abuse treatment programs. It follows the CBT model of treatment wrapped into a modified therapeutic community model in which inmates learn what it is like living in a pro-social community. Inmates live in a unit separate from general population, participate in half-day programming and half-day work, school, or vocational activities. RDAP is typically nine months in duration but can extend longer based on the needs of the inmate and/or therapeutic community. The Bureau and National Institute on Drug Abuse combined funding and expertise to conduct a rigorous analysis of the Bureau's RDAP. Research findings demonstrated that RDAP participants are significantly less likely to recidivate and less likely to relapse to drug use than non-participants. The studies also suggest that the Bureau's RDAPs make a significant difference in the lives of inmates following their release from custody and return to the community.

Following completion of the residential portion of treatment, RDAP participants complete six months in Transitional Drug Abuse Treatment (TDAT) to complete the entirety of the program. That time in the half-way house or home confinement helps to bridge that critical reintegration period back into society. This part of treatment is essential to help reinforce long lasting and gives the offender the opportunity maintain ties to treatment while making the sometimes difficult re-entry into society.

Mr. Aaron Carter is scheduled to complete the residential portion of RDAP here at FCI Fort Dix, NJ on August 14, 2020. While in treatment, he has done well earning the confidence of staff, as well as his peers. He demonstrated early in treatment

that he is invested in achieving change for himself, and that he is committed to the treatment process.

Now, as a senior member of the RDAP community, Mr. Carter serves in the role of Mentor and Big Brother to his junior peers. Outside of active programming hours, Mr. Carter maintains visibility, and remains invested in both his and his peers' treatment. He has been observed encouraging peers to engage prosocially, offering guidance to junior peers, and he has been a large help to staff by performing various duties around the housing unit. Mr. Carter consistently presents with a positive attitude, and has been an influential and active member within the community throughout the duration of his time housed in the RDAP unit.

Please do not hesitate to contact me if you require further information regarding the RDAP. I may be reached at 609-723-1100, ext. 6869.

Sincerely,

A handwritten signature in cursive script, appearing to read 'D. Curry'.

D. Curry, Psy.D.

Residential Drug Abuse Program Coordinator

Carter, Aaron

Register Number: 50001-054

Unit 5852 (S)

INMATE REQUEST TO STAFF RESPONSE

This is in response to your request for consideration for Compassionate Release/Reduction in Sentence (RIS) in accordance with Program Statement 5050.50.

In accordance with Program Statement 5050.50, Compassionate Release/Reduction in Sentence, Procedures for Implementation, 18 U.S.C. §3582(c)(1)(A) and 4205 (g), an inmate may initiate a request for consideration only when there are particularly extraordinary or compelling circumstances which could not reasonably have been foreseen by the court at the time of sentencing.

A review of your case reveals you requested a Compassionate Release/RIS consideration. Each category has specific eligibility requirements that must be met in order to qualify for Compassionate Release/RIS. In order for your request to be properly assessed, you must indicate which category you wished to be considered under as you can only submit one request at a time. You must indicate which category under sections 3, 4, 5 or 6 of the Program Statement. If you still wish to be considered for Compassionate Release/RIS please re-submit your request with the one specific category.

If you are dissatisfied with this response, you may appeal the decision through the Administrative Remedy process.



M. Bridges
Executive Assistant

4-27-2020
Date

Name: Carter, Aaron

Reg. No.: 50001-054

The Unit Team has received your Request for Release to Home Confinement. Please be advised the Unit Team has reviewed your case and found you ineligible for Direct Home Confinement placement.

Signature Staff Member:



Date:

04-16-2020

Certificate of Completion

Federal Bureau of Prisons

F.C.I. Fort Dix, NJ

This certifies that

Mr. Aaron Carter 50001-054

has successfully completed the

Drug Abuse Education Group

this 18th day of June, 2019

The Drug Abuse Education Course is a minimum of 12 hours. The goal of this program is to help the offender to make an accurate evaluation of the consequences of his/her alcohol/drug use and consider the need for treatment.

JLK
DTS